

Amendment and Response under 37 C.F.R. 1.116

Applicant: Shell S. Simpson et al.

Serial No.: 09/874,184

Filed: June 4, 2001

Docket No.: 10007649-1

Title: SYSTEM AND METHOD FOR PRINTING FROM A WEB APPLICATION**REMARKS**

The following Remarks are made in response to the Final Office Action mailed March 23, 2007, in which claims 1, 2, 4, 7-16, 18, 20-22, and 27-36 were rejected.

With this Amendment, claim 18 has been amended to clarify Applicant's invention.

Claims 1, 2, 4, 7-16, 18, 20-22, and 27-36, therefore, remain pending in the application, and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 112

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter for which applicant regards as the invention. More specifically, the Examiner contends that it is unclear what "the request" in line 9 refers to.

With this Amendment, claim 18 has been amended to clarify that "the request" in line 9 is "the request for printing of target data from the web application."

In view of the above, Applicant respectfully requests that the rejection of claim 18 under 35 U.S.C. 112, second paragraph, be reconsidered and withdrawn, and that claim 18 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 7-13, 18, 20, 21, 28, 29, 33, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy US Patent No. 6,623,527 in view of Anderson US Publication No. 2002/0087622.

Claims 14-16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy US Patent No. 6,623,527 in view of Anderson US Publication No. 2002/0087622, and further in view of Blumberg et al. US Publication No. 2003/0140315.

Claims 27, 30, 31, 32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy US Patent No. 6,623,527 in view of Anderson US Publication No. 2002/0087622, and further in view of Liu US Publication No. 2002/0033967.

The earliest effective date of the Anderson US Publication No. 2002/0087622 is December 29, 2000 which is prior to the filing date of June 4, 2001 of the present patent application. Accompanying this Amendment and Response is a Declaration of Prior

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Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application in the United States prior to the earliest effective date of December 29, 2000 of the Anderson US Publication No. 2002/0087622 coupled with due diligence from prior to the earliest effective date of the Anderson publication up to the filing date of the present patent application (i.e., constructive reduction to practice).

As the Declaration of Prior Invention under 37 C.F.R. 1.131 is being filed after a final action, Applicant notes that this affidavit is being submitted to establish prior invention of the subject matter of the present patent application and notes that this affidavit was not presented earlier as the rejections of claims 1, 2, 4, 7-13, 18, 20, 21, 28, 29, 33, and 36, claims 14-16 and 22, and claims 27, 30, 31, 32, 34, and 35 under 35 U.S.C. 103(a) as being unpatentable in view of the Anderson US Publication No. 2002/0087622 were first presented in the Final Office Action mailed March 23, 2007. Applicant, therefore, respectfully requests consideration and entry of the Declaration of Prior Invention under 37 C.F.R. 1.131.

In view of the above, Applicant submits that the Anderson US Publication No. 2002/0087622 does not qualify as a reference under 35 U.S.C. 102(e) and, therefore, does not qualify as a reference under 35 U.S.C. 103(a). Applicant, therefore, respectfully requests that the rejections of claims 1, 2, 4, 7-13, 18, 20, 21, 28, 29, 33, and 36, claims 14-16 and 22, and claims 27, 30, 31, 32, 34, and 35 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1, 2, 4, 7-16, 18, 20-22, and 27-36 be allowed.

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Title: SYSTEM AND METHOD FOR PRINTING FROM A WEB APPLICATION**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1, 2, 4, 7-16, 18, 20-22, and 27-36 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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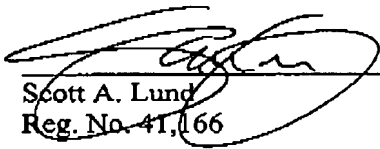
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 23rd day of May, 2007.

By 
Name: Scott A. Lund